

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 14-1052V

Filed: February 24, 2016

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UNPUBLISHED

JULIE HALLQUIST, *

Special Master Gowen

Petitioner, *

V. *

Attorneys' Fees and Costs.

SECRETARY OF HEALTH *

AND HUMAN SERVICES, *

Respondent. *

* * * * *

Danielle A. Strait, Maglio Christopher & Toale, PA, Washington, D.C., for petitioner.

Adriana A. Teitel, United States Department of Justice, Washington, DC, for respondent.

DECISION ON ATTORNEYS' FEES AND COSTS¹

On October 28, 2014, Julie Hallquist (“petitioner”) filed a petition pursuant to the National Vaccine Injury Compensation Program.² 42 U.S.C. §§ 300aa-1 to -34 (2012). Petitioner alleged that as a result of receiving an influenza vaccination on October 9, 2011, she suffered Transverse Myelitis. Petition at ¶ 1, 3. On February 1, 2016, the parties filed a stipulation in which they agreed to an award of compensation to petitioner. On February 2, 2016, the undersigned issued a decision adopting the parties’ stipulation for an award. See Decision on J. Stip., filed Feb. 2, 2016.

¹ Because this decision contains a reasoned explanation for the undersigned’s action in this case, the undersigned intends to post this ruling on the website of the United States Court of Federal Claims, in accordance with the E-Government Act of 2002, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction “of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b).

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-1 to -34 (2012) (Vaccine Act or the Act). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C.A. § 300aa.

On February 22, 2016, petitioner filed an unopposed motion for attorneys' fees and costs. Petitioner requests a total award of attorneys' fees and costs in the amount of \$18,000.00. Motion for Attorneys' Fees and Costs at ¶ 3. Respondent does not object. Id. In accordance with General Order #9, petitioner represents that she incurred out-of-pocket costs in pursuit of this claim in the amount of \$39.50. See Gen. Order 9 Statement at 1, filed Feb. 22, 2016.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300aa-15(e). Based on the reasonableness of petitioner's application, the undersigned **GRANTS** the request for approval and payment of attorneys' fees and costs.

Accordingly, an award should be made as follows:

- (1) in the form of a check jointly payable to petitioner and to petitioner's attorney, Danielle A. Strait, of Maglio Christopher & Toale, PA, in the amount of \$18,000.00; and**
- (2) in the form of a check payable to petitioner only, in the amount of \$39.50.**

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance herewith.³

IT IS SO ORDERED.

s/ Thomas L. Gowen
Thomas L. Gowen
Special Master

³ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.